

**IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE: BEXTRA AND CELEBREX
MARKETING AND SALES PRACTICES
AND PRODUCT LIABILITY LITIGATION

MDL Docket No. 1699

Judge Charles R. Breyer

JIMMY WYRICK, JR., individually

**STIPULATION AND PROPOSED
ORDER OF DISMISSAL
WITHOUT PREJUDICE**

Plaintiff,

CASE NO. 3:07-cv-00906CRB

v.

PFIZER, INC., et al.,

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between counsels for the Plaintiff and counsel for the Defendants that the Complaint of Plaintiff **Jimmy Wyrick, Jr.** is hereby dismissed without prejudice.

1. Plaintiff is Jimmy Wyrick, Jr.; defendants are Pfizer, Inc., Pharmacia Corporation, Monsanto Company, and G.D. Searle L.L.C.;
2. On February 13, 2007, Plaintiff sued Defendants;
3. Plaintiff moves to dismiss his claims against Defendants;
4. This case is not a class action;
5. A receiver has not been appointed to this action;
6. Plaintiff has not dismissed an action based on or including the same claims as those present in this suit.
7. Should Plaintiff or a representative of Plaintiff attempt to re-file his claims against Defendants, she shall do so only by filing said claims in Federal Court.

Respectfully submitted:

Dated: 10/19/07

By: Navan Ward Jr.

Navan Ward, Jr. (AL State Bar No. WAR062)

Email: navan.ward@beasleyallen.com

Andy D. Birchfield, Jr. (AL State Bar No. BIR006)

Email: andy.birchfield@beasleyallen.com

BEASLEY, ALLEN, CROW, METHVIN,

PORIS & MILES, P.C.

Post Office Box 4160

Montgomery, Alabama 36103-4160

(334) 269-2343 telephone

(334) 954-7555 facsimile

Attorneys for Plaintiff Jimmy Wyrick, Jr.

GORDON & REES

Dated: 10-22-07

By: S. M. Gordon

Stuart M. Gordon, Esq.

Embarcadero Center West

275 Battery Street 20th Floor

San Francisco, CA 9411

(415) 986-5900 (Tel.)

(415) 986-8054 (Fax)

Defendant's Liaison Counsel

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 23, 2007

Honorable Charles R. Breyer
United States District Court

